REMARKS

Claims 1-18 are pending in this application. Claims 8-10 are canceled without prejudice or disclaimer, and claim 1 is amended herein. Upon entry of this amendment, claims 1-7 and 11-18 will be pending. Entry of this amendment and reconsideration of the rejections are respectfully requested.

No new matter has been introduced by this Amendment. Support for the amendments to the claims is detailed below.

Claims 1-4 and 14 are rejected under 35 U.S.C. §103(a) as being unpatentable over Gozdz et al. (U.S. 2005/0233219 A1) in view of Yoshino et al. (U.S. 5,631,100 A) as evidenced by Timcal (SUPER P Technical Data Sheet). (Office action paragraph no. 3)

Claims 7-13 are rejected under 35 U.S.C. §103(a) as being unpatentable over Gozdz et al. (U.S. 2005/0233219 A1) in view of Yoshino et al. (U.S. 5,631,100 A) as evidenced by Timcal (SUPER P Technical Data Sheet) as applied to claims 1, 2 and 4 above, and further in view of Hosoya et al. (U.S. 2002/0124386 A1). (Office action paragraph no. 4)

Claims 15-18 are rejected under 35 U.S.C. §103(a) as being unpatentable over Gozdz et al. (U.S. 2005/0233219 A1) in view of Yoshino et al. (U.S. 5,631,100 A) as evidenced by Timcal (SUPER P Technical Data Sheet). (Office action paragraph no. 5)

Reconsideration of the rejections of claims 1-7 and 11-14 is respectfully requested in view of the amendments to the claims. Claim 1 has been amended to recite: "wherein the positive electrode active material-containing layer has a filling density of 1.7 g/cm^3 or greater."

Support for this amendment may be found in original claim 8. Claims 8-10 have accordingly been canceled without prejudice or disclaimer.

The rejection of claims 15-18 is respectfully traversed.

Hosoya does not disclose that the positive electrode active material-containing layer has a filling density of 1.7 g/cm^3 or greater. The Examiner points out that Hosoya describes densities of 0.4-2.0 g/cm^3 in Table B-l. However, the densities in Table B-l of Hosoya are the tap density of the positive electrode active material, not the filling density of the positive electrode active material-containing layer as defined in the present invention. If the filling density of each sample of Ex. B-l to Ex. B-4 listed in Table B-l of Hosoya is measured, it will be lower than 0.4-2.0g/cm^3. Accordingly, the data shown in Table B-1 of Hosoya do not suggest the recited filling density of 1.7 g/cm^3 or greater.

Furthermore, as clearly seen from Table 3 of the present application, in Comparative Cell Y2, wherein the positive electrode active material-containing layer has a filling density of less than 1.7 g/cm^3, a discharge capacity of 32.4 mAh/g was attained at the discharge current of 0.5 It and discharging was impossible at the discharge current of 2.0 It, while in Cell Bl of the invention, wherein the positive electrode active material-containing layer has a filling density of 1.7 g/cm^3 or greater, a discharge capacity of 147.1 mAh/g was attained at the discharge current of 0.5 It and a discharge capacity of 115.5 mAh/g was attained at the discharge current of 2.0 It. Thus, the discharge property of Cell Bl of the invention was largely improved as compared to that of Comparative Cell Y2, and the results above show that an unexpected effect can be obtained by the filling density of 1.7 g/cm^3 or greater.

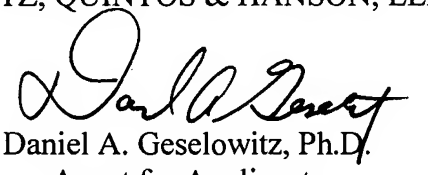
From the foregoing above, it is submitted that the invention according to the amended claim 1 or the previously presented claim 15 of the present application cannot be easily reached by combining Gozdz, Yoshino and Hosoya.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the applicants' undersigned agent at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, the applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

KRATZ, QUINTOS & HANSON, LLP



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